

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

LETICIA LEE,

Plaintiff,

v.

WARNER MEDIA, LLC; HBO HOME
ENTERTAINMENT, INC.; WARNER BROS.
WORLDWIDE TELEVISION DISTRIBUTION
INC.; NBC UNIVERSAL TELEVISION
STUDIO DIGITAL DEVELOPMENT LLC; CBS
BROADCASTING INC.; GRAMMNET NH
PRODUCTIONS,

Defendants.

Case No. 6:23-cv-06025-FPG

Removed From:

Supreme Court of the State of New
York, County of Ontario

Index No.: 134539-2022

NOTICE OF MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT

Defendants Warner Media, LLC, HBO Home Entertainment, Inc., Warner Bros. Worldwide Television Distribution Inc., NBC Universal Television Studio Digital Development LLC; CBS Broadcasting Inc., and Grammnet NH Productions ("Defendants"), in accordance with Rule 12(b)(6) of the Federal Rules of Civil Procedure and through their undersigned counsel, hereby move this Court for an order dismissing the Amended Complaint in this action with prejudice pursuant to Fed. R. Civ. P. 12(b)(6) for the following reasons:

1. Plaintiff LeTicia Lee ("Plaintiff") has asserted a copyright infringement claim against Defendants under the U.S. Copyright Act. Plaintiff alleges that Defendants' television shows "Living Single," "Friends," "Sex and the City," and "Girlfriends" infringe her unproduced treatment and pilot script for her show "Girlfriends."

2. Defendants move to dismiss this lawsuit because Plaintiff, relying on protectable elements, cannot establish that her work is substantially similar to any of Defendants' shows, as

she is required to do under copyright law. Instead, Plaintiff's claim is fundamentally based on a highly general, unprotectable similarity, specifically the broad concept of an ensemble comedy focusing on the personal and professional lives of a group of friends living in an urban setting.

3. Defendants intend to file a reply brief in further support of this motion.

4. In support of this motion, Defendants rely upon the attached Memorandum of Law, the Declaration of Elizabeth A. McNamara and accompanying exhibits, Notice of Manual Filing, and all pleadings herein.

WHEREFORE, Defendants respectfully request that this Court enter an Order dismissing the Amended Complaint with prejudice.

Dated: March 6, 2023

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